

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND

FILED  
U.S. DISTRICT COURT  
DISTRICT OF MARYLAND

2005 SEP 20 P 4:37

CLERK'S OFFICE  
AT BALTIMORE

BY ~~CLERK'S OFFICE~~ DEPUTY

IN RE MICROSOFT CORP.  
ANTITRUST LITIGATION.

MDL Docket No. 1332

Hon. J. Frederick Motz

This Document relates to:

*Burst.com, Inc. v.  
Microsoft Corp.*

Civil Action No JFM-02-cv-2952

**STIPULATED ORDER OF DISMISSAL WITH PREJUDICE**

Pursuant to the Federal Rules of Civil Procedure and the Settlement Agreement dated April 4, 2005 entered between plaintiff Burst.com, Inc. ("Burst") and defendant Microsoft Corporation ("Microsoft"), the parties hereto, by their undersigned counsel, stipulate to the dismissal with prejudice of the above-captioned case.

Burst and Microsoft will each bear its own costs and expenses in connection with the above-captioned case.

SO ORDERED this 20th day of September, 2005.

  
Hon. J. Frederick Motz  
United States District Judge

Agreed to by:

*Spencer Hosie / 1/7/05*

Spencer Hosie (Ca Bar # 101777)  
Bruce J. Wecker  
John Burritt McArthur  
George F. Bishop  
James T. McCartt  
George Frost  
HOSIE, FROST, LARGE & McARTHUR  
One Market, Spear Street Tower, 22<sup>nd</sup> Floor  
San Francisco, CA 94105  
415.247.6000

Robert Yorio  
Colby Springer  
CARR & FERRELL, LLP  
2200 Geng Road  
Palo Alto, CA 94303  
650.812.3400

*Attorneys for Plaintiff Burst.com, Inc.*

*Richard A. Cederoth*

G. Stewart Webb, Jr.  
(Fed. Bar No. 00828)  
VENABLE LLP  
Two Hopkins Plaza, Suite 1800  
Baltimore, MD 21201  
410.244.7400

Charles W. Douglas  
Richard A. Cederoth  
John W. Treece  
David M. Schiffman  
SIDLEY AUSTIN BROWN & WOOD  
Bank One Plaza, 10 South Dearborn  
Chicago, IL 60603  
312.853.7000

David B. Tulchin  
Marc De Leeuw  
SULLIVAN & CROMWELL LLP  
125 Broad Street  
New York, NY 10004-2498  
212.558.4000

Thomas W. Burt  
Richard J. Wallis  
Steven J. Aeschbacher  
C. Andrew Culbert  
MICROSOFT CORPORATION  
One Microsoft Way  
Redmond, WA 98052  
425.936.8080

*Attorneys for Defendant Microsoft Corporation*